


MAYOR AND COUNCIL – STUDY SESSION

ADMINISTRATIVE ACTION REPORT AND SUMMARY MARCH 22, 2004

FROM: CITY MANAGER



Mayor Robert E. Walkup called the Study Session to order at 12:33 P.M. in the Mayor and Council Chambers, City Hall Tower, Tucson, Arizona.

COUNCIL MEMBERS PRESENT: Mayor Robert E. Walkup
Vice-Mayor Fred Ronstadt, (Ward 6)
Council Member Jose J. Ibarra, (Ward 1)
Council Member Carol West, (Ward 2)
Council Member Kathleen Dunbar, (Ward 3)
Council Member Shirley C. Scott, (Ward 4)

ABSENT/EXCUSED: Council Member Steve Leal, (Ward 5)

STAFF: James Keene, City Manager
Mike Letcher, Deputy City Manager
Michael House, City Attorney
Roger Randolph, City Clerk Administrator

AGENDA ITEM/MAYOR AND COUNCIL ACTION	STAFF ACTION
<p>1. Executive Session – Claim of John and Connie Hamner (City-Wide) SS/MARCH22-04-87</p> <p>Council Member West MOVED, SECONDED by Council Member Scott to go into Executive Session for item #1 as noticed in the Agenda.</p> <p>Motion PASSED by a 6 to 0 vote (Council Member Leal absent/excused).</p>	
<p>RECESS: 12:34 P.M. RECONVENE: 12:50 P.M. MAYOR & COUNCIL: ALL PRESENT (Council Member Leal absent/excused) STAFF: ALL PRESENT</p>	

AGENDA ITEM/MAYOR AND COUNCIL ACTION

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<p>Executive Session was held from 12:35 p.m. to 12:40 p.m. (Council Member Ibarra did not attend the executive.)</p>	
<p>Council Member West MOVED, SECONDED by Council Member Scott to return to Open Session.</p> <p>Motion PASSED by a 6 to 0 vote (Council Member Leal absent/excused).</p>	
<p>2. Mayor and Council Direction Regarding Executive Session - Claim of John and Connie Hamner (City-Wide) SS/MARCH22-04-88</p> <p>Council Member West MOVED, SECONDED by Vice Mayor Ronstadt to instruct the City Attorney and the City Manager to proceed as discussed in Executive Session in the claim of John and Connie Hamner.</p> <p>Motion PASSED by a 6 to 0 vote (Council Member Leal absent/excused).</p>	<p><u>CITY ATTORNEY</u> Is responsible</p>
<p>3. Intergovernmental Relations: Discussion of 2004 State and Federal Legislation Affecting the City (City-Wide) SS/MARCH22-04-83</p> <p>Vice Mayor Ronstadt MOVED, SECONDED by Council Member West moved to OPPOSE HB 2653 and SB 1271: Left Turn Signals; Lagging Statewide</p> <p>Council Member Dunbar made an amendment to send a letter to Representatives Barnes and Hart regarding the City's opposition to HB 2653 since at this time, the bill is dead.</p> <p>Amendment was accepted by maker.</p> <p>Motion as amended PASSED by a 6 to 0 vote (Council Member Leal absent/excused).</p>	<p><u>DIR. OF INTERGOV. RELATIONS</u> Is responsible</p>

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<p>3. Intergovernmental Relations: Discussion of 2004 State and Federal Legislation Affecting the City (City-Wide) SS/MARCH22-04-83 (Continued from previous page)</p> <p>Council Member West MOVED, SECONDED by Council Member Scott to OPPOSE S1085: Solid Waste Fees and send a letter that clarifies our reasons for non-support.</p> <p>Motion PASSED by a 6 to 0 vote (Council Member Leal absent/excused).</p> <p>Council Member West noted frustration with bills that undermine the City's authority and requested staff work with the Arizona League to send a letter to the legislature.</p>	<p><u>DIR. OF INTERGOV. RELATIONS</u> Is responsible</p>
<p>4. Pima Association of Governments (PAG) Management Committee's Recommendations to Regional Council (City-Wide) SS/MARCH22-04-91</p> <p>Council Member Ibarra MOVED, SECONDED by Vice Mayor Ronstadt to approve the recommendation of the City Manager and approve the recommendations of the Management Committee to the Regional Council, with the exception of item #4 relating to Lakeside Lake.</p> <p>Motion PASSED by a 6 to 0 vote (Council Member Leal absent/excused).</p>	<p><u>DIR. OF TRANS.</u> Is responsible <u>DIRS. OF WATER AND PARKS AND REC.</u> Are informed</p>
<p>5. City Magistrate Appointment Process (City-Wide) SS/MARCH22-04-93</p> <p>With the understanding that all recommendations would go to the Merit Selection Commission the Mayor and Council directed staff as follows.</p> <p>Council Member Ibarra MOVED, SECONDED by Council Member Dunbar to approve the Good Government Subcommittee recommendations 1, 2, 4 and 7 with changes to wording requested by Council Member Scott on recommendation 1, paragraph b), the first sentence shall now read "Specify that the Merit Selection Commission shall recommend to the Mayor and Council not more than three persons in ranked order."</p>	<p><u>CITY MANAGER</u> Is responsible <u>CITY CLERK AND DIR. OF CITY COURT</u> Are informed</p>

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5. City Magistrate Appointment Process (City-Wide) SS/MARCH22-04-93 (Continued from the previous page)

Motion PASSED by a 6 to 0 vote (Council Member Leal absent/excused).

Council Member Ibarra MOVED, SECONDED by Council Member West to approve the Good Government Subcommittee recommendation 3 with the comments of Judge Riojas to reflect that paragraph b does not interfere with the judicial process and paragraph c is consistent with the Code of Judicial Conduct.

Motion PASSED by a 6 to 0 vote (Council Member Leal absent/excused).

Council Member Dunbar MOVED, SECONDED by Council Member West to approve the Good Government Subcommittee recommendation 6 adding the language, "which may include employees of Tucson Police Department."

Motion PASSED by a 6 to 0 vote (Council Member Leal absent/excused).

Council Member Dunbar MOVED, SECONDED by Vice Mayor Ronstadt to approve the Good Government Subcommittee recommendation 5, which establishes an appointment process versus a reappointment process.

Motion FAILED by a 3 to 3 vote (Council Members Ibarra, West and Scott dissenting; Council Member Leal absent/excused).

RECESS: 2:01 P.M.

RECONVENE: 2:09 P.M.

MAYOR & COUNCIL: ALL PRESENT (Council Member Leal absent/excused; Council Member Dunbar arrived at 2:10)

STAFF: ALL PRESENT

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<p>6. Proposed Five-Year Capital Improvement Program, Fiscal Years 2005 Through 2009 (City-Wide) SS/MARCH22-04-84</p> <p>Council Member Ibarra requested staff correct the number associated with the parking garage and clarify why it is included as part of Transportation and not Rio Nuevo.</p> <p>Vice Mayor Ronstadt MOVED, SECONDED by Council Member West to direct staff to request information from the County on behalf of the Mayor and Council to include a financial statement and accounting of the 1997 bonds to see where the City programs stand. This information should be provided within two weeks.</p> <p>Motion PASSED by a 6 to 0 vote (Council Member Leal absent/excused).</p> <p>Council Member Dunbar noted that she would like to go on the record as requesting sidewalks on Ft. Lowell from Alvernon Way to Oracle Road.</p> <p>Council Member West requested staff give serious consideration to the coordination of construction on the 4th Avenue underpass and fill needs for the Mullins Landfill Closure.</p> <p>Council Member Ibarra MOVED, SECONDED by Council Member West to tentatively adopt the Capital Improvement Program as presented today.</p> <p>Motion PASSED by a 6 to 0 vote (Council Member Leal absent/excused).</p>	<p><u>CITY MANAGER</u> Is responsible</p> <p><u>CITY MANAGER</u> Is responsible</p> <p><u>DIR. OF TRANS.</u> Is responsible</p> <p><u>DIRS. OF TRANS. AND ENV. MANAGEMENT</u> Are responsible</p> <p><u>DIRS. OF TRANS., WATER AND ENV. MANAGEMENT</u> Are informed</p>
<p>(Council Member Dunbar departed at 3:15 p.m.; returned at 3:19 p.m.)</p> <p>7. Organizational Change: Roles and Responsibilities (City-Wide) SS/MARCH22-04-92</p> <p>Council Member Ibarra requested this item be continued to a time when Council Member Leal can participate in the discussion. Mayor Walkup decided to discuss the item today.</p>	<p><u>CITY MANAGER</u> Is responsible</p> <p><u>AGENDA COMM.</u> Is informed</p>

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<p>7. Organizational Change: Roles and Responsibilities (City-Wide) SS/MARCH22-04-92 (Continued from the previous page)</p> <p>Council Member West MOVED, SECONDED by Council Member Ibarra to approve the City Managers recommendation to schedule the Ordinance adoption finalizing the name change from Operations to General Services on a future Consent Agenda.</p> <p>Motion PASSED by a 6 to 0 vote (Council Member Leal absent/excused).</p> <p>Council Member Ibarra requested information in the form of a memo with the costs related to the 2/22/02 retreat with John Nalbandian. Information should include the Mayor and Council vote to authorize the retreat.</p> <p>Council Member Dunbar requested the report include the staff time needed to research this information.</p>	<p><u>CITY MANAGER</u> Is responsible</p>
<p>8. Mayor and Council Subcommittee Reports (City-Wide) SS/MARCH22-04-85</p> <p>Council Member Ibarra reported on the Neighborhood Subcommittee:</p> <ul style="list-style-type: none">• Motorized Scooter (scheduled for M/C discussion on 4/5/04)• Handbills• Columbus Park <p>Council Member Scott noted that the Transportation Subcommittee was rescheduled for April 2, 2004.</p>	
<p>9. Boards, Commissions and Committees (City-Wide) SS/MARCH22-04-82</p> <p>This item was not discussed. Formal action was taken at the Regular Meeting.</p>	<p><u>CITY CLERK</u> Is informed</p> <p>See AAR&S of the Regular Session of 3/22/04, Item #15</p>

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<p>10. Mayor and Council Discussion of Regular Agenda SS/MARCH22-04-86</p> <p><u>6-F. Tucson Code: Amending (Chapter 10a) Establishing a Policy for the Creation of Boards, Committees and Commissions</u></p> <p>Council Member Scott had questions on item 6-F and staff answered questions.</p>	
<p>11. Mayor and Council Discussion of Future Agendas SS/MARCH22-04-89</p> <p>Council Member West requested an item in April on discussion of future agendas and increase the role of the Agenda Coordinator.</p> <p>Council removed several items from the projected agenda list.</p>	<p><u>CITY MANAGER</u> Is responsible</p>
<p>ADJOURNMENT: 3:48 P.M.</p> <p><i>VERBATIM TAPE RECORD AVAILABLE UPON REQUEST FROM THE CITY CLERK'S OFFICE.</i></p>	